



IT IS HEREBY ADJUDGED and DECREED that the below described is DENIED.

Dated: January 30, 2014

Tony M. Davis

**TONY M. DAVIS
UNITED STATES BANKRUPTCY JUDGE**

**UNITED STATES BANKRUPTCY COURT
Western District of Texas
Austin Division**

IN RE: James Wade Naivar and Betty Ann Naivar, Debtor(s)

Case No.: 91-11468-tmd

**ORDER DENYING PAYMENT
OF A DIVIDEND UNCLAIMED FUNDS**

On this date came on for consideration the Application for Payment Of A Dividend From Unclaimed Funds by:

NAME: James Wade and Betty Ann Naivar
ADDRESS: 1300 Southwood Hills Dr
Taylor, TX 75674

Claimant, for payment of a dividend from unclaimed funds in the amount of \$25,119.73.

The court orders the application be DENIED for the following reason(s):

- ☒ 1. There are no monies being held for this Claimant.
- ☐ 2. Monies have already been disbursed.
Date funds were paid:
Per court order signed:
Schedule Number:
Paid to:
- ☐ 3. Money amount being claimed for distribution is different than the financial records reflect.
- ☒ 4. Other: Pursuant to Title 11 USA code 347, chapter 7 debtors are not entitled to unclaimed funds listed in the name of their creditors. These funds remain

unclaimed for an indefinite period of time. Regarding the motion, #2, these funds can still be claimed by the owners of said defunct company and by the merged company. As for line #3, chapter 7 unclaimed funds are NOT considered surplus funds and thus CANNOT be refunded to the debtors.

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DENIED